

**Amendments to the Claims:**

This listing of claims will replace all prior versions and listings of claims in the application:

**Listing of Claims:**

1. (currently amended) A non-aqueous electrolyte secondary cell comprising:  
a cathode comprising  $\text{Li}_x\text{Fe}_y\text{PO}_4$   $\text{Li}_x\text{M}_y\text{PO}_4$  having an olivine structure and having a particle diameter not greater than ~~10~~ 1 micrometers and wherein  $0 < x \leq 2$  and  $1 \leq y \leq 2$ ;  
an anode wherein said anode comprises sintered carbon material prepared by sintering a carbon material capable of doping/dedoping lithium; and  
a non-aqueous electrolyte solution.
- 2-3. (canceled)
4. (currently amended) A non-aqueous electrolyte secondary cell comprising:  
a cathode having a molded body comprising a cathode active material and a conductive agent, said active material comprising  $\text{Li}_x\text{Fe}_y\text{PO}_4$   $\text{Li}_x\text{M}_y\text{PO}_4$  having an olivine structure and having a particle diameter not greater than ~~10~~ 1 micrometers wherein  $0 < x \leq 2$  and  $1 \leq y \leq 2$ ;  
an anode having a molded body comprising a material selected from the group consisting of an anode active material capable of doping/dedoping lithium, a conductive agent, and mixtures thereof; and  
a non-aqueous electrolyte solution.
- 5-13. (canceled)
14. (previously presented) The non-aqueous electrolyte secondary cell of Claim 1, wherein said carbon material is selected from the group consisting of non-graphitizable carbon, graphitizable carbon, graphite, and mixtures thereof.

15. (previously presented) The non-aqueous electrolyte secondary cell of Claim 1, wherein said non-aqueous electrolyte solution comprises an electrolyte salt and a non-aqueous solvent.

16. (previously presented) The non-aqueous electrolyte secondary cell of Claim 15, wherein said electrolyte salt is a lithium salt having ion conductivity.

17. (previously presented) The non-aqueous electrolyte secondary cell of Claim 16, wherein said lithium salt is selected from the group consisting of  $\text{LiClO}_4$ ,  $\text{LiAsF}_6$ ,  $\text{LiPF}_6$ ,  $\text{LiBF}_4$ ,  $\text{LiB}(\text{C}_6\text{H}_5)_4$ ,  $\text{LiCl}$ ,  $\text{LiBr}$ ,  $\text{CH}_3\text{SO}_3\text{Li}$ ,  $\text{N}(\text{C}_n\text{F}_{2n}\text{SO}_2)_2\text{Li}$ , and mixtures thereof.

18. (previously presented) The non-aqueous electrolyte secondary cell of Claim 15, wherein said non-aqueous solvent is selected from the group consisting of propylene carbonate, ethylene carbonate, 1,2-dimethoxyethane, 1,2-diethoxyethane, diethyl carbonate, methyl ethyl carbonate, dimethyl carbonate,  $\gamma$ -butyrolactone, tetrahydrofuran, 1,3-dioxolane, 4-methyl-1,3-dioxolane, diethyl ether, sulfolane, methyl sulfolane, acetonitrile, propionitrile, and mixtures thereof.

19. (previously presented) The non-aqueous electrolyte secondary cell of Claim 4, wherein said anode active material comprises a carbon material selected from the group consisting of non-graphitizable carbon, graphitizable carbon, graphite, and mixtures thereof.

20-21. (canceled)

22. (previously presented) The non-aqueous electrolyte secondary cell of Claim 4, wherein said anode conductive agent is selected from the group consisting of  $\text{SiB}_4$ ,  $\text{SiB}_6$ ,  $\text{Mg}_2\text{Si}$ ,  $\text{Ni}_2\text{Si}$ ,  $\text{TiSi}_2$ ,  $\text{MoSi}_2$ ,  $\text{CoSi}_2$ ,  $\text{NiSi}_2$ ,  $\text{CaSi}_2$ ,  $\text{CrSi}_2$ ,  $\text{Cu}_5\text{Si}$ ,  $\text{FeSi}_2$ ,  $\text{MnSi}_2$ ,  $\text{NbSi}_2$ ,  $\text{TaSi}_2$ ,  $\text{VSi}$ ,  $\text{WSi}_2$ ,  $\text{ZnSi}_2$  and mixtures thereof.

23. (previously presented) The non-aqueous electrolyte secondary cell of Claim 4, wherein said non-aqueous electrolyte solution comprises an electrolyte salt and a non-aqueous solvent.

24. (previously presented) The non-aqueous electrolyte secondary cell of Claim 23, wherein said electrolyte salt is a lithium salt having ion conductivity.

25. (previously presented) The non-aqueous electrolyte secondary cell of Claim 24, wherein said lithium salt is selected from the group consisting of  $\text{LiClO}_4$ ,  $\text{LiAsF}_6$ ,  $\text{LiPF}_6$ ,  $\text{LiBF}_4$ ,  $\text{LiB}(\text{C}_6\text{H}_5)_4$ ,  $\text{LiCl}$ ,  $\text{LiBr}$ ,  $\text{CH}_3\text{SO}_3\text{Li}$ ,  $\text{N}(\text{C}_n\text{F}_{2n}\text{SO}_2)_2\text{Li}$ , and mixtures thereof.

26. (previously presented) The non-aqueous electrolyte secondary cell of Claim 23, wherein said non-aqueous solvent is selected from the group consisting of propylene carbonate, ethylene carbonate, 1,2-dimethoxyethane, 1,2-diethoxyethane, diethyl carbonate, methyl ethyl carbonate, dimethyl carbonate,  $\gamma$ -butyrolactone, tetrahydrofuran, 1,3-dioxolane, 4-methyl-1,3-dioxolane, diethyl ether, sulfolane, methyl sulfolane, acetonitrile, propionitrile, and mixtures thereof.